

REMARKS

Claims 17, 19, and 21-27 appear in this application for the Examiner's review and consideration.

No new matter has been added by these amendments and additions.

Rejection Over Inoue et al.

Claims 17, 19, and 21-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,840,351 to Inoue *et al.*

In rejecting claim 17, the Examiner stated that Inoue, on Fig. 3, discloses a golf ball comprising a corrugated parting line offset the equator, which does not intersect or interfere with the dimples edges. This is not consistent with Fig. 3 in the Inoue patent. The parting line of the Inoue patent clearly intersects and interferes with several dimple edges, most notably the trio of dimples at the center of the figure.

The Examiner rejects claim 18 (actually claim 18 had been cancelled and incorporated into claim 17) but apparently this final rejection was an exact duplicate of the first rejection without discussion as to the Applicants response to the first Office Action. The Examiner states that Inoue et al. shows dimples that create a seamless appearance by their appearing on either side of the corrugated parting line. While this is true, it does not anticipate the inventive concept of the present invention, as stated in claim 17, which states that dimples interdigitate across the parting line and the parting line as claimed in the present invention is described in claim 17 as "the parting surface of the parting line is at a position corresponding to an equator region of the spherical cavity" Thus as stated in claim 17 the parting line of the present invention is in a position corresponding to the equator and therefore the dimples along the parting line are both above and below the equator, whereas with Inoue, the parting line is entirely above the equator. Thus when stated that the dimples interdigitate across the parting line, they must appear on both sides of the equator, which is the purpose of a "seamless" ball. The Inoue parting line is entirely on one side of the equator. This is an atypical concept that is not even contemplated in the present invention, wherein the parting lines are centered on the equator so that they exist in equal parts on both sides of the equator. It is also inherent in the disclosure of waveforms having an integral

number of cycles around the equator, as discussed on page 8, line 15 of the Applicants' specification. With an integral number of complete cycles, the waveform would have to dwell equally both above and below the horizontal axis (the equator).

Claim 20 was rejected (actually it was cancelled and incorporated into claim 17) because Inoue shows peaks and valleys. While this may be true, Inoue clearly shows valleys that are angular cusps, and not made up of radii.

Claims 21-23 were rejected based upon Inoue showing a continuous parting line around the equator. Inoue only shows a short segment of the parting line and associated dimple pattern. This is completely insufficient to determine if it anticipates the Applicant's claims. Certainly, there is nothing in the Inoue specification to suggest the superposition of a base waveform and a secondary waveform of substantially shorter wavelength.

For claims to be rejected under 35 U.S.C. § 102(b), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Inoue does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 19, and 21-27, depend from claim 17 and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claims. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Solheim

Claims 17, and 21-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,653,758 to Solheim. Each of the Examiner's rejections were identical in argument as to the Inoue rejection basis as outlined above.

In rejecting claim 17, Solheim really does not appear relevant. Solheim focuses on the "fused junction" between the two pre-molded hemispherical shells of cover material, which is quite a different matter. The dimples in the Solheim patent, while they appear on both sides of the equator, are not interdigitated. If one were to examine

Solheim closely, it will be seen that the seamless appearance is the result of very wide overall dimple spacing, and the ball would appear seamless even without the corrugated parting line.

In the rejection of the peaks and valleys cited in claim 20, the Examiner refers to the peaks and valleys of Solheim. Yes, it is acknowledged that there are peaks and valleys, but they are made up of straight lines and sharp corners with no radii at all. Even looking at Fig. 6 of Solheim, line 64 (which is made up of radii) is not the parting line, but rather a fused junction between the two pre-molded hemispherical shells of the cover material (see Column 8, line 54).

Claims 21-23 were rejected based on the parting line being a continuous waveform around the equator, but what is disclosed by Solheim does not appear to be the result of the superposition of two waveforms with different wavelengths, and there is no suggestion of such.

For claims to be rejected under 35 U.S.C. § 102(b), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Solheim does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 20-23 depend from the claims discussed above and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claim. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Sanchez

Claims 17, and 21-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,249,804 to Sanchez. Each of the rejections were identical in argument to the above rejections, with the exception that claim 24 is anticipated by Sanchez showing a icosahedron dimple pattern .

In the rejection of claim 17, the Applicant's feel that Sanchez discloses the same parting line as Solheim (although he calls it a seam) which implies that it is more like the

"fused junction" of Solheim than an actual parting line, also the Applicants again feel that there is no interdigitation across the parting line, therefore it doesn't anticipate this claim. The parting line of Sanchez is clearly a parting line with straight lines and sharp corners and not based on a predetermined mathematical radii.

Once again claims were rejected based on the parting line being a continuous waveform around the equator, but what is disclosed in the Sanchez patent certainly is not the result of the superposition of two waveforms with different wavelengths.

For the rejection of claim 24, Sanchez (as does Solheim) anticipates an icosahedral pattern, but again the patentability is based upon its dependency of an allowed independent claim.

For claims to be rejected under 35 U.S.C. § 102(a), each and every element as set forth in the claims of the present invention must be found, either expressly or inherently, in a single prior art reference. Applicants respectfully submit that Sanchez does not disclose all the elements of the claimed invention.

Accordingly, independent claim 17 is believed to be in condition for allowance for at least the reasons set forth above. Moreover, the remaining claims 21-24 depend from this claim 1 and add additional features. These claims are believed to be patentable for the totality of the claimed inventions therein and by virtue of their dependence from the independent claim. As such, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Rejection Over Inoue and Solheim each In View of Sajima

Claims 25 and 26 were rejected under 35 U.S.C. § 103(a) as being obvious over Inoue '351 and Solheim '758 each in view of U.S. Publication No. 2002/0019274 to Sajima.

The argument for Inoue and Solheim are discussed above and claims 25 and 26 are patentable only because they are dependent upon an allowable independent claim, and are not meant to stand on their own merits.

The above rejections of Solheim and Inoue are overcome then under 35 U.S.C. § 103(a) claims 25 and 26 are believed to have been overcome for at least the above reasons. Applicants respectfully request reconsideration and withdrawal thereof.

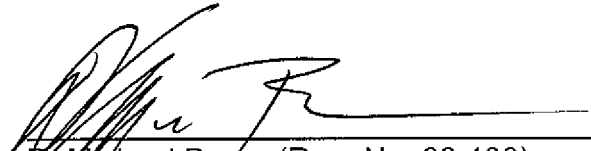
Conclusion

Based on the remarks set forth above, Applicants believe that all of the rejections have been overcome and the claims of the subject application are in condition for allowance. Should the Examiner have any further concerns or believe that a discussion with the Applicants' agent/attorney would further the prosecution of this application, the Examiner is encouraged to call the agent/attorney at the number below.

No fee is believed to be due for this submission, except for the \$500 for the Notice of Appeal, which please charge to Acushnet Company Deposit Account No. 502309.

Respectfully submitted,

7/19/2006
Date


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Attachments: Notice of Appeal